

Application No.: 09/577,071  
Attorney Docket No. 99-852

and 31 under 35 U.S.C. § 103(a) as obvious over Lauer in view of Cohen et al. (U.S. Patent No. 6,477,585). Applicants respectfully traverse the rejections for at least the following reasons.

#### **I. REJECTION UNDER § 102(e)**

The Examiner rejected claims 1-8, 16-19, 22, 25, 28, 29, 32, and 33 under 35 U.S.C. § 102(e) as anticipated by Lauer. To properly anticipate Applicants' claimed invention, the Examiner must demonstrate the presence of each and every element of the claim in issue, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2121 (8<sup>th</sup> ed., Aug. 2001), *quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8<sup>th</sup> ed. 2001), p. 2100-69.

Applicants' claim 1 recites a data processing apparatus for correlating network events among a number of client services comprising, among other things, "an event correlation service coupled to a knowledge database comprising correlation knowledge, said event correlation service adapted to: receive said parsed event from said event notification service; utilize data stored in said knowledge database to derive an event from said parsed event; and transmit said derived event to one of a plurality of operator workstations via said event notification service, regardless of a significance of said derived event." Lauer does not disclose at least these features.

In making the rejection, and in the Response to Arguments section of the Final Office Action (page 20-21), the Examiner has alleged that Lauer teaches an "event

Application No.: 09/577,071  
Attorney Docket No. 99-852

correlation service," which the Examiner alleged is represented by SNMS 300. The Examiner also alleged that Lauer teaches "an event correlation service adapted to: receive said parsed event from said event notification service," which the Examiner has alleged is represented by Process Events 402. The Examiner then alleges that Lauer discloses "transmit[ting] said derived event to one of a plurality of operator workstations via said event notification service, regardless of a significance of said derived event," alleging that "data from Alarming 302 and Reporting 304 servers are transmitted to workstation sites." See Final Office Action, page 21. However, Alarming 302 and Reporting 304 servers do not constitute Applicants' claimed "event correlation service" recited in claim 1, which "receive[s] said parsed event from said event notification service; utilize[s] data stored in said knowledge database to derive an event from said parsed event; and transmit[s] said derived event to one of a plurality of operator workstations via said event notification service." In other words, the Examiner has not demonstrated all of the elements recited in claim 1 regarding the claimed "event notification service."

Although the Examiner has alleged Applicants' claimed "event notification service" is anticipated by SNMS 300 of Lauer, SNMS 300 of Lauer does not constitute an "event notification service" adapted to, among other things, "utilize data stored in said knowledge database to derive an event from said parsed event" as recited in claim 1. By contrast, Lauer merely discloses that topology and configuration data is fed to SNMS topology server 306 and that network topology data is used by SNMS 300 to perform alarm correlation. See col. 5, lines 52-58. For example, in the Lauer system, all network events are input to the SNMS Alarming Server 302 for analysis and

Application No.: 09/577,071  
Attorney Docket No. 99-852

correlation. Some events are also input to the SNMS reporting server 304 and are stored for historical purposes. See col. 5, lines 39-43. However, Lauer does not disclose at least Applicants' claimed "event correlation service," which is "adapted to: receive said parsed event from said event notification service; utilize data stored in said knowledge database to derive an event from said parsed event; and transmit said derived event to one of a plurality of operator workstations via said event notification service, regardless of a significance of said derived event." Accordingly, Lauer does not anticipate claim 1 for at least this reason.

Independent claims 16, 18, 28, 32, and 33, while of differing scopes, include recitations similar to that of claim 1. For at least the above reasons, Applicants respectfully request the Examiner to withdraw the rejection of claims 1, 16, 18, 28, 32, and 33.

## **II. REJECTION UNDER § 103(a)**

The Examiner rejected claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 under 35 U.S.C. § 103(a) as obvious over Lauer in view of Cohen et al. (U.S. Patent No. 6,477,585). To establish a proper *prima facie* case of obviousness under 35 U.S.C. § 103(a), the Examiner must demonstrate each of three requirements. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8<sup>th</sup> ed. 2001). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. See M.P.E.P. § 2143.01 (8<sup>th</sup> ed. 2001). Third, a reasonable expectation of success must exist. See M.P.E.P. §

Application No.: 09/577,071  
Attorney Docket No. 99-852

2143.02 (8<sup>th</sup> ed. 2001). Moreover, each of these requirements must be found in the prior art, not in applicant's disclosure. See M.P.E.P. § 2143 (8<sup>th</sup> ed. 2001).

Claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 depend from one of allowable independent claims 1, 16, 18, 28, 32, and 33, and thus include the recitations of their respective base claims. As discussed above, Lauer does not disclose all of the features of these claims. Moreover, Cohen, which discloses an event management service used in a districted computing environment, does not teach the claimed elements which are not taught by Lauer. Accordingly, Cohen and Lauer, whether taken alone or in combination, do not teach or suggest claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 for at least this reason.

Cohen also teaches using a filter mechanism for determining whether events generated by one or more even supplies are communicated to one or more even consumers. Thus, transmission, as taught by Cohen, is conditional. Consequently, there is no motivation or suggestion to combine the Lauer system that is not conditional with that of Cohen, which teaches conditional transmission. Nor has the Examiner indicated any expectation of success for making the proposed combination. Instead, the Examiner merely cited generalized statements found in the background section and summary that character Cohen as supplying events in an "asynchronous manner." See col. 1, lines 48-50 and 65-67. Accordingly, for at least these additional reasons, the combination of Cohen and Lauer is improper.

For at least the above reasons, Applicants respectfully request the Examiner to withdraw the rejection of dependent claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 under 35 U.S.C. § 103(a).

Application No.: 09/577,071  
Attorney Docket No. 99-852

### CONCLUSION

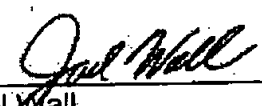
Applicants respectfully request that the Examiner enter this Amendment under 37 C.F.R. § 1.116, placing the pending claims in condition for allowance. In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 07-2347.

Respectfully submitted,

Dated: December 3, 2004

By: \_\_\_\_\_

  
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